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10/075,680

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Karl Heinz Kremer

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PATENT LEGAL STAFF
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ROCHESTER, NY 14650-2201

EXAMINER

LETT, THOMAS J

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/075,680

Applicant(s)

KREMER, KARL HEINZ

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 February 2007 has been entered.

Response to Amendment

2. The amendment filed 27 February 2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows (as underlined):

In claim 1: modifying the at least one marker using a table of information and a timestamp.

In claim 26: the viewer component configured to display the location of the at least one marker, using a table of information and a time stamp.

Applicant is required to cancel the new matter in the reply to this Office Action. The information was neither disclosed in Applicant's original specification, nor was it disclosed in Applicant's original drawing 5A. The said drawing merely made mention of modifying the Table of Contents in step 507. The original disclosure does not mention the above claimed features of claims 1 and 26.

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According to Applicant's specification, when a user saves a file, a timestamp is saved to the file, (as indicated in paras. 0060, 0061, 0062, and 0067); there is no mention of modifying at least one marker using a table of information and a timestamp.

The clause "modifying the at least one marker; using a table of information and a time stamp" would be satisfied by the prior art teaching of Hube in view of Lamming et al (USPN 5,539,665) wherein Lamming teaches that a tab marker is modified with a timestamp.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-25 and 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Hube (USPN 5,337,161).

With respect to claim 1, Hube discloses a method for modifying at least one document in a printing machine (printing system 2, col. 4, lines 9-14) having a display device (display 52, col. 6, lines 3-14), the method comprising:

determining a location of at least one marker on the at least one document (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22);

displaying the location of the at least one marker, using a table of information (customized tab stock with parameters, col. 7, lines 22-26) and a time stamp (a saved file inherently receive a time and date stamp associated with the instance it is saved), on the display device (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

modifying the at least one marker (step 52 (S52), Fig. 12); and

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generating at least one modified document in response to the modified at least one marker (once selection is done, then the tab image is placed in memory, col. 10, lines 27-31).

With respect to claim 2, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, wherein the at least one marker comprises at least one regular tab (customized tab stock with parameters for various stock can be specified by the user, col. 7, lines 22-26).

With respect to claim 3, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, wherein the at least one marker comprises at least one bleed tab (customized tab stock with parameters for various stock can be specified by the user, col. 7, lines 22-26).

With respect to claim 4, Hube discloses a method for modifying at least one document in a printing machine according to claim 2, wherein the at least one marker comprises at least one of a type, a font size, a title, at least one color, a height, a width, a vertical position, a horizontal position, and a rotation (various parameters of tab orientation are shown in Fig. 18, and see related discussion at col. 8, line 47-col. 9, line 57).

With respect to claim 5, Hube discloses a method for modifying at least one document in a printing machine according to claim 3, wherein the at least one marker comprises at least one of a type, a font size, a title, at least one color, a height, a width, a vertical position, a horizontal position and a rotation (various parameters of tab orientation are shown in Fig. 18, and see related discussion at col. 8, line 47-col. 9, line 57).

With respect to claim 6, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, further comprising performing an update function to modify the at least one marker (Fig. 13 shows step for repeating the job until the user confirms

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(or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.).

With respect to claim 7, Hube discloses a method for modifying at least one document in a printing machine according to claim 6, further comprising storing the modified at least one marker as a new marker on at least one new document (at D70 of Fig. 13, a user can confirm a tab image and the image is copied to memory, col. 10, lines 25-31).

With respect to claim 8, Hube discloses a method for modifying at least one document in a printing machine according to claim 7, further comprising printing the at least one new document (when the tab sequence is correct, the print job is ready to be printed, col. 10, lines 62-64).

With respect to claim 9, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, wherein the at least one marker is comprised of a combination of at least one regular tab and at least one bleed tab (customized tab stock with parameters for various stock can be specified by the user to be placed in a print job, col. 7, lines 22-26).

With respect to claim 10, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, wherein the at least one marker is stored as objects (a tab image of a page is confirmed and the image is copied to memory, col. 10, lines 25-31).

With respect to claim 11, Hube discloses a method for modifying at least one document in a printing machine according to claim 9, wherein said objects are page objects (a tab image of a page is confirmed and the image is copied to memory, col. 10, lines 25-31).

With respect to claim 12, Hube discloses a method for modifying at least one document in a printing machine according to claim 9, wherein said objects comprise PDF objects

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(processor 25 processes the image signals as required to enable system 2 to store and handle the image data in the form required to carry out the job programmed, col. 4, lines 26-34).

With respect to claim 13, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, further comprising displaying the modification of the at least one marker on the at least one document on the display device (Customized tab stock with parameters for various stock can be specified by the user, col. 7, lines 22-26. Further, Fig. 13 shows step for repeating the job until the user confirms (or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.).

With respect to claim 14, Hube discloses a method for modifying at least one document in a printing machine according to claim 1, further comprising modifying a table of tabs as a response to modifying the at least one marker (Customized tab stock with parameters for various stock can be specified by the user, col. 7, lines 22-26. Further, Fig. 13 shows step for repeating the job until the user confirms (or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.).

With respect to claim 15, Hube discloses a method for modifying documents in a printing machine (printing system 2, col. 4, lines 9-14) having a display device (display 52, col. 6, lines 3-14), the method comprising:

determining a location of at least one first marker on a first document (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22);

determining a location of at least one second marker on a second document (the user displays a page image and customizes a marker location, col. 9, lines 40-46 and see Fig. 17);

displaying the location of the at least one first marker and the at least one second markers on the display device (the user displays a page image and customizes a marker location, col. 9, lines 40-46 and see Fig. 17);

modifying, using a table of information (customized tab stock with parameters, col. 7, lines 22-26) and a time stamp (a saved file inherently receive a time and date stamp associated with the instance it is saved), the at least one first marker and the at least one second marker to create at least one update marker (Fig. 13 shows step for repeating the job until the user confirms (or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.); and

generating at least one modified document in response to the updated at least one marker (when the tab sequence is correct, the print job is ready to be printed, col. 10, lines 62-64).

With respect to claim 16, Hube discloses a method for modifying documents in a printing machine according to claim 15, further comprising replacing the at least one first marker with the at least one update marker (Fig. 13 shows step for repeating the job until the user confirms (or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.).

With respect to claim 17, Hube discloses a method for modifying documents in a printing machine according to claim 15, further comprising replacing the at least one second marker with the at least one update marker (Fig. 13 shows step for repeating the job until the user confirms (or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.).

With respect to claim 18, Hube discloses a method for modifying documents in a printing machine according to claim 15, further comprising storing the at least one update marker as a new marker on a newly created document (one selection is done, then the tab image is placed in memory, col. 10, lines 27-31).

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With respect to claim 19, Hube discloses a method for modifying documents in a printing machine according to claim 15, further comprising storing the at least one updated marker as a new marker in the second document (one selection is done, then the tab image is placed in memory, col. 10, lines 27-31).

With respect to claim 20, Hube discloses a method for modifying documents in a printing machine according to claim 15, further comprising storing the at least one update marker as a new marker in the first document (one selection is done, then the tab image is placed in memory, col. 10, lines 27-31).

With respect to claim 21, Hube discloses a method for modifying a plurality of documents in a printing machine (printing system 2, col. 4, lines 9-14) having a display device (display 52, col. 6, lines 3-14), the method comprising:

determining a location of each marker in the plurality of documents (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22);

displaying the location of each marker on the display device (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

modifying each marker (step 52 (S52), Fig. 12); and

generating a plurality of modified documents in response to each modified marker (when the tab sequence is correct, the print job with documents related to each tab are ready to be printed, col. 10, lines 62-64, and see Fig. 17).

With respect to claim 22, Hube discloses a job preparation station for a printing machine (printing system 2, col. 4, lines 9-14), comprising:

a job preparation station (user interface 52, col. 4, lines 3-14) comprises a display device (display 52, col. 6, lines 3-14) having a viewer component and a desktop component;

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the viewer component (user interface 52, col. 4, lines 3-14) configured to display at least one document (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

the desktop component (user interface 52, col. 4, lines 3-14) configured to determine a location (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22) of at least one marker on the at least one document;

the viewer component (user interface 52, col. 4, lines 3-14) configured to display the location of the at least one marker;

the desktop component configured to modify the at least one marker (step 52 (S52), Fig. 12), using a table of information (customized tab stock with parameters, col. 7, lines 22-26) and a time stamp (a saved file inherently receive a time and date stamp associated with the instance it is saved); and

the desktop component (user interface 52, col. 4, lines 3-14) configured to generate at least one modified document in response to the modified at least one marker (when the tab sequence is correct, the print job is ready to be printed, col. 10, lines 62-64).

With respect to claim 24, Hube discloses a job preparation station according to claim 22, wherein the job preparation station comprises at least one input device that enables the desktop component to modify the at least one marker (user defines the tab image by selecting an upper-left corner of the tab image using, for example, a mouse button (S52), col. 9, lines 42-45).

With respect to claim 24, Hube discloses a job preparation station according to claim 22, wherein the display device comprises a graphic user interface (user interface 52, col. 4, lines 3-14).

With respect to claim 25, Hube discloses a job preparation station according to claim 22, further comprising responsive to the modification of the at least one marker a table of tabs is

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automatically updated (Fig. 13 shows step for repeating the job until the user confirms (or is satisfied with) a tab selection at D70, col. 10, lines 25-31. Examiner notes that tab images can be edited as required.).

With respect to claim 27, Hube discloses a printing machine (printing system 2, col. 4, lines 9-14), comprising:

- a job preparation station (user interface 52, col. 4, lines 3-14);

- the job preparation station (user interface 52, col. 4, lines 3-14) operable to determine a location of at least one marker on at least one document (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22);

- the job preparation station (user interface 52, col. 4, lines 3-14) operable to display the location of at least one marker (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

- the job preparation station (user interface 52, col. 4, lines 3-14) operable to modify the at least one marker (step 52 (S52), Fig. 12); and

- the job preparation station (user interface 52, col. 4, lines 3-14) operable to generate at least one modified document in response to the modified at least one marker (when the tab sequence is correct, the print job is ready to be printed, col. 10, lines 62-64).

With respect to claim 28, Hube discloses a printing machine according to claim 27, further comprising an output device (image output controller 60, col. 6, lines 29-30) connected to the job preparation station (user interface 52, col. 4, lines 3-14) the output device operable to transmit the at least one modified document (from (image output controller 60 to printer section 8, col.4, line 11).

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With respect to claim 29, Hube discloses a method for modifying at least one document in a printing machine (printing system 2, col. 4, lines 9-14) having a display device (display 52, col. 6, lines 3-14), the method comprising:

determining a location of at least one marker on the at least one document (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22) in response to a table of tabs (from a menu, col. 7, lines 14-21) that directs the printing machine to the location of the at least one marker;

displaying the location of the at least one marker on the display device (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

modifying the at least one marker (step 52 (S52), Fig. 12); and

generating at least one modified document in response to the modified at least one marker (when the tab sequence is correct, the print job is ready to be printed, col. 10, lines 62-64).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hube (USPN 5,337,161) in view of Neuhard et al (USPN 6,052,198).

With respect to claim 26, Hube discloses a printing system (printing system 2, col. 4, lines 9-14) for printing a plurality of printing jobs, said printing system comprising:

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a plurality of job preparation stations (user interface 52, col. 4, lines 3-14. Examiner notes that a plurality of stations as disclosed by Hube are capable of having several operators.) wherein at each of said job preparation stations a respective operator receives at least one document to be printed,

converts the at least one document into ready for printer file format (processor 25 processes the image signals as required to enable system 2 to store and handle the image data in the form required to carry out the job programmed, col. 4, lines 26-34) and

generates an electronic job ticket (see electronic job ticket displayed in Fig. 7 of UI 52) representing global document features, each job preparation station (user interface 52, col. 4, lines 3-14) having a set of defined station attributes (pre-stored tab parameter file is opened (S22), col. 7, lines 22-23. Further, see Fig. 7 for default settings.);

the job preparations stations comprise a display device (display 52, col. 6, lines 3-14) having a viewer component (display 52, col. 6, lines 3-14) and a desktop component (touchscreen 62, col. 6, lines 3-14);

the viewer component (display 52, col. 6, lines 3-14) configured to display at least one document (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

the desktop component (touchscreen 62, col. 6, lines 3-14) configured to determine a location of at least one marker on the at least one document (selecting a certain cut letter tab stock which determines the location of tabs, col. 7, lines 17-22);

the viewer component configured to display the location of the at least one marker (the user displays a page image and customizes a marker location, col. 9, lines 40-46);

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the desktop component (touchscreen 62, col. 6, lines 3-14) configured to modify the at least one marker (step 52 (S52), Fig. 12) and (see at least Fig. 18, and associated disclosure at col. 9, lines 45-57 for tab transformation);

the desktop component (touchscreen 62, col. 6, lines 3-14) configured to generate at least one modified document in response to the modified at least one marker (step 52 (S52), Fig. 12); and

an output device connected to the job preparation station, wherein the output device is operable to output the at least one modified document (when the tab sequence is correct, the print job is ready to be printed, col. 10, lines 62-64).

Hube does not disclose a job allocator that receives the set of defined station attributes of the job preparation stations and distributes printing jobs to a selected one of the job printing stations based on the defined station attributes of all of the job preparation stations.

Neuhard et al teach of a spooler/scheduler 20 that receives print jobs and generates printer files that are transmitted to an appropriate printer 28, 30, 31, or 32, col. 4, lines 35-39.

Hube and Neuhard et al are analogous art because they are from the similar problem solving area of image print processing of tabbed documents. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of spooler/scheduler executable code of Neuhard et al to the user interface of Hube in order to obtain a device capable of transmitting print jobs to networked printers. The motivation for doing so would be to allocate jobs to capable printers based on job parameters.

Conclusion

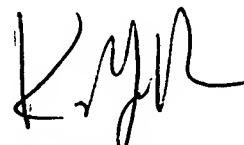
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-7464. The examiner can normally be reached on 8-4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T. Lett
AU 2625



KING Y. POON
PRIMARY EXAMINER